

REMARKS

Claims 1-18 are pending in the above-identified application, of which claims 7-12 are withdrawn. Claims 1-6 and 13-18 were rejected. Accordingly, claims 1-6 and 13-18 are at issue in the above-identified application.

35 U.S.C. § 102 Anticipation Rejection of Claims & 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-4 and 13-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Kamijo* (U.S. Patent No. 6,819,532). Claims 5-6 and 17-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kamijo* in view of *Amano et al.* (U.S. Patent No. 6,801,414). Applicant respectfully traverse these rejections. Withdrawal of these rejections are respectfully requested.


Claim 1 recites a magnetic memory device comprising a first wiring, a second wiring intersecting three-dimensionally with said first wiring, and a storage cell positioned at an intersecting area of said first wiring and said second wiring for writing/reading information of a magnetic spin, wherein *a sidewall portion of said second wiring electrically connecting to said storage cell has a forward tapered shape having a contact angle relative to an upper surface of said storage cell being 45 degrees or more.* *Kamijo* teaches a TMR type of magnetoresistance effect device as shown in Fig. 6. The device has an upper electrode formed on a cap protection layer 36 and an interlayer dielectric 38. While it appears that the upper electrode 37 is tapered at an angle relative to the cap protective layer 36, the amount of tapering however, is unknown. Therefore, it is not known whether the upper electrode 37 forms a contact angle relative to the cap protective layer of 45 degrees or more. Furthermore, *Kamijo* teaches a magnetic memory of the random access memory in which the GMR or TMR type of magnetoresistance effect device

shown in Fig. 6 can be inserted between two electric leads crossing at right angles, as shown in Fig. 10. However, while it may teach placing the structure of Fig. 6 into Fig. 10, the leads 52 or 51, as shown in Fig. 10, are not taught to have a sidewall portion connected to said storage cell having a forward tapered shape with a contact angle relative to an upper surface of said storage cell being 45 degrees or more, as required in claim 1. In fact, *Kamijo* remains silent as to the shape of the leads and how they contact the structures taught in Fig. 6. While the Examiner would like to combine the structure of the upper electrode 37 with the structure of the lead 52 into one structure, *Kamijo* does not teach it as one structure and therefore, Applicant maintains that *Kamijo* does not teach or disclose the second wiring as claimed in claim 1.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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